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Attorneys for United States of America

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD GEORGE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. C-07-4673-MJJ

**SECOND DECLARATION OF THOMAS
MOORE IN SUPPORT OF THE UNITED
STATES' MOTION TO DISMISS**

I, Thomas Moore, pursuant to the provisions of 28 U.S.C. § 1746, declare as follows:

1. I am employed as an Assistant United States Attorney with the United States Attorney, in the offices located in San Francisco, California. As part of my duties I am assigned to this matter and I have been provided IRS taxpayer records described in the paragraphs below.

2. Attached hereto as Exhibit V is a true and correct copy of the IRS IMFOLI index summary for Richard George's 1999 tax year which shows the total assessed balance due of zero, but accrued and unassessed interest due of \$9,457.67 as of October 18, 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 15, 2008, San Francisco, California.

/s/ Thomas Moore
THOMAS MOORE
Assistant United States Attorney
Tax Division

EXHIBIT

V

Station Name: SAN008WA2523387 Date: 10/17/2007 Time: 10:27:55 AM

IMFOLI564-13-3662

IMF INDEX

NM CTRL:GEOR

UP-CYC:42

RICHARD E GEORGE

ENTITY MF ACTIVE:42 FREEZE CODES: - AUDIT HISTORY: YES VESTIGIAL: YES

TOTAL ASSESSED BAL: .00 (*TOTAL OF ACTIVE TAX MODS ASSESSED BALS*)

MFT	TXPD	FSC	ACT	TIF	TOTAL MOD	BALANCE	INTEREST	FREEZE	POSTED	STAT
							COMP DTE	CODES	RETURN	ADJ HIS
30	199712	1	42	NO		.00	20071029	-	POSTED	YES 12
30	199812	1	42	NO		.01-	20071029	-	POSTED	YES 12
30	199912	1	42	YES		9,457.67	20071029	T -	POSTED	YES 26
30	200012	1	42	YES		.00	20071029	-AL	SUBST4	YES 12
30	200112	1	42	YES		.00	20071029	-	SUBST4	YES 12
30	200212	1	42	YES		.00	20071029	-AL	SUBST4	YES 12
30	200312	1	42	NO		.00	20071029	-L	POSTED	NO 12
30	200412	1	42	NO		.00	20071029	-	POSTED	NO 12
30	200512	1	42	NO		.00	20071029	-	POSTED	NO 12
30	200612	1	42	NO		.00	20071029	-	NONE	NO 04
55	199312		42	NO		.00	20071029	-	NONE	YES 12
55	199412		42	NO		.00	20071029	-	NONE	YES 12
55	199612		42	NO		.00	20071029	-	NONE	YES 12
55	199712		42	NO		.00	20071029	-	NONE	YES 12
55	199812		42	NO		.00	20071029	-	NONE	YES 12

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YR-REMOVED:2000

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IMFPG 002

CERTIFICATE OF SERVICE

I, KATHY TERRY, declare and state as follows:

That I am a resident or employed in San Francisco County, California; my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; I am over the age of eighteen years.

That I am employed by the United States Attorney for the Northern District of California, who is a member of the Bar of the United States District Court for the Northern District of California, at whose direction the service described in this Certificate was made; that on this date, I deposited in the United States mail in the aforementioned action, in an envelope bearing the requisite postage, copies of the following documents:

**SECOND DECLARATION OF THOMAS MOORE IN SUPPORT OF
UNITED STATES' MOTION TO DISMISS.**

addressed to:

**Richard E. George
431 Central Avenue
Menlo Park, California 94025**

at his last known address, at which place there is service by United States mail.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, executed this 15th day of January, in **San Francisco**, California.

/s/ Kathy Tat
KATHY TAT
Legal Assistant